

INITIAL STATEMENT OF REASONS
Article 4.7 Traffic Violators
Title 13. Sections 345.02, 345.06, 345.21, 345.22

Vehicle Code section 11200 requires the department to license traffic violator schools and prohibits operation of a traffic violator school without licensure. Vehicle Code section 11202.5 prohibits a person from acting as a traffic violator school operator without a valid license issued by the department. Vehicle Code section 11206 authorizes the department to license and regulate traffic violator school instructors. Traffic violator school instructors are prohibited from acting as a traffic violator school instructor, or from providing instruction to traffic violators, without a current valid instructor's license. Vehicle Code section 1652 authorizes the department to prescribe forms deemed necessary for the purposes of implementing the Vehicle Code.

This amendment will update the application form used in the Traffic Violator School Program, the Application for Instructor's License Traffic Violator School (TVS) form, OL 710 (Rev. 8/2005), to reflect form changes and update the revision date of another form used to report changes in the license information to the department. The Application for Change: TVS Operator License form, OL 755 (Rev 4/93), is being revised to include address changes for traffic violator school operators.

Licenses and Approvals Required

§345.02. Traffic Violator School Owner

Section 345.02 provides application requirements for traffic violator school owners. Existing Subdivision 345.02(e) specifies that the department shall notify the applicant when Part I of the application is complete and shall provide the forms required to complete Part II of the application. The applicant shall submit Part II of the application to any department field investigation district office. Part II is a three part application process.

The third step of Part II of the traffic violator school owner application includes the Application For Traffic Violator School (TVS) Operator License form OL 751 (Rev 7/93), and the Application for Change: TVS Operator License. The OL 755, Application for Change: TVS Operator License is being amended to include a new revision date; the form was revised September 2006. Changes have been made to the form to allow reporting of an address change, including listing the previous address and the new address. The amendment of subdivision 345.02(e)(3) is necessary because the revision date of the form has changed and the form has been revised to report address changes.

§345.06. Traffic Violator School Instructor

Section 345.06 lists requirements under Vehicle Code section 11206 for traffic violator school instructors. Subdivision 345.06(e) specifies the contents of a completed application for a traffic violator school instructor license. Subdivision 345.06(e)(2) specifies that the application shall be made on form OL 710 (Rev. 8/2005). The proposed

amendment would update the Application for Instructor's License Traffic Violator School (TVS), to the current revision date of September 2006 and remove the applicant's driver license number, driver license expiration date and the physical description from subdivision 345.06(e)(2)(C) and (e)(2)(D) of the regulations. This is necessary because the information is already provided on another required form and is duplicative. The information is already provided in the Application for Occupational License Personal History Questionnaire, Part B, form OL 29 (Rev. 3/94), in Section 345.02 of Title 13, California Code of Regulations.

Subdivision (e)(2)(E) through (e)(2)(H) are being re-designated as (C) through (F). Subdivision (G) and (H), now (E) and (F), are being amended to eliminate the city and state where the signature was executed. The form fields to indicate the city and state where the form was signed are being deleted. This amendment is being made to bring the regulatory language into compliance with Code of Civil Procedure section 2015.5

License Renewals, Duplicates And Changes

§345.21. Duplicate Operator License

Section 345.21 provides requirements to replace a lost, stolen, or mutilated operator license, or identification card. The operator is required to submit to the department a nonrefundable fee of \$15 and an Application For Change: TVS Operator License, form OL 755, completed to contain specified information. This section is being amended to reflect a new revision date; the form was revised September 2006. Changes have been made to the form to allow reporting of an address change, including listing the previous address and the new address. This amendment is necessary because the revision date has changed and the form has been amended.

Subdivision 345.21(h) specifies that the form shall include a perjury statement. The applicant shall sign a statement under penalty of perjury that the information on the application is true and correct. The subdivision is being amended to expand the perjury statement to include the words *under the laws of the State of California*. The form fields to indicate the city and state where the form was signed are being deleted. These two amendments are being made to bring the regulatory language into compliance with Code of Civil Procedure section 2015.5.

§345.22. Changes to Operator License

Section 345.22 provides the requirements for making changes to an Operator license. Subdivision 345.22(a) provides that when a traffic violator school changes its business name, or adds a DBA, the school operator's license shall also be changed to reflect the new business name. The operator is required to submit the current operator license and an Application For Change: TVS Operator License, form OL 755 (Rev 4/93). This section is being amended to include a new revision date and add form fields for reporting address changes. The form was revised September 2006. Changes have been made to the form to allow the reporting of an address change, including listing the previous address and the new address. This amendment is necessary because the revision date has changed and the form has been revised to report address changes.

Subdivision 345.22(a)(7) specifies that the form shall include a perjury statement. The applicant shall sign a statement under penalty of perjury that the information on the application is true and correct. The subdivision is being revised to expand the perjury statement to include the words *under the laws of the State of California*. The form fields to indicate the city and state where the form was signed are being deleted. These two amendments are being made to bring the regulatory language into compliance with Code of Civil Procedure section 2015.5.

Subdivision 345.22(b) provides the requirements for an operator to transfer an operator's license to another school. One of the requirements includes submitting to the department an Application For Change: TVS Operator License, form OL 755 (Rev 4/93). This section is being amended to include a new revision date and add form fields for reporting an address change. The form was revised September 2006. Changes have been made to the form to report address changes, including listing the previous address and the new address. This amendment is necessary because the revision date has changed and the form has been revised to report address changes.

Subdivision 345.22(b)(2)(G) specifies that the form shall include a perjury statement. The applicant shall sign a statement under penalty of perjury that the information on the application is true and correct. The subdivision is being revised to expand the perjury statement to include the words *under the laws of the State of California*. The form fields to indicate the city and state where the form was signed are being deleted. These two amendments are being made to bring the regulatory language into compliance with Code of Civil Procedure section 2015.5.

Subdivision 345.22(c) provides the requirements for an operator name change. One of the requirements is submitting an Application For Change: TVS Operator License, form OL 755 (Rev 4/93). This section is being amended to include a new revision date and add form fields for reporting an address change. The form was revised September 2006. Changes have been made to the form to report address changes, including listing the previous address and the new address. This amendment is necessary because the revision date has changed and the form has been revised to report address changes.

Subdivision 345.22(c)(4) lists the fourth of six requirements that need to be included in the OL 755 form when reporting a name change. The operator's name as currently shown in department records needs to be listed. This requirement is being deleted because the fifth requirement is the same as the fourth requirement. The amendment is necessary because requirement number four is redundant and duplicative.

Subdivision 345.22(c)(5) and (c)(6) are being renumbered to (c)(4) and (c)(5), respectively, to reflect the deletion of existing (c)(4).

345.22(c)(6) has been renumbered to (c)(5) and specifies that the form shall include a perjury statement. The applicant shall sign a statement under penalty of perjury that the information on the application is true and correct. The subdivision is being revised to expand the perjury statement to include the words *under the laws of the State of*

California. The form fields to indicate the city and state where the form was signed are being deleted. These two amendments are being made to bring the regulatory language into compliance with Code of Civil Procedure section 2015.5.